

Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1, 6, 8, 16, and 18 have been amended. Three new claims have been added. Thus, claims 1-25 are pending.

Objection to the Specification

The Office Action requested that Applicants add a "Summary of the Invention" description to the application. However, Applicants would like to kindly point out that both the MPEP and 37 C.F.R. §1.73 do not require the presence of a "Summary of the Invention." They merely indicate where in the application the "Summary of the Invention" should be placed if Applicants choose to add one. 37 C.F.R. §1.73 only states that a "Summary of the Invention" should or may be included. It does not state "must" or "shall." Accordingly, Applicants have elected not to include a "Summary of the Invention" as this is within the discretion and right of the Applicants.

Objection to the Claims

Claim 10 was objected to for a clerical error, the error has been corrected as suggested by the Examiner. Applicants thank the Examiner for noting the error.

Rejections to the Claims

Claims 1, 2, 6-11 and 14-22 stand rejected as being anticipated under **35 USC §102** by Hawkins (US Patent No. 6,343,318). Regarding Hawkins, Applicants note Hawkins is an enormously long reference (268 columns) and hence Applicants respectfully note they are relying on the portions of Hawkins identified by the Office in responding to the claim rejections.

Regarding the rejection of independent claim 1, the Office incorrectly states that Hawkins at col. 3 lines 32-48 teaches the recited “obtaining a content catalog identifying content.” While Hawkins appears to teach a client having HTML converted for it from HTML to a subset of HTML called “CML” (see, e.g., Hawkins col. 9 lines 41-47 in which is stated “What is important is that the compressed markup language is a subset and superset of HTML”), such conversion as taught by Hawkins does **not** teach the recited content catalog. This conversion is **not** what is claimed in claim 1. In particular, lacking is any teaching or suggestion of providing a catalog of content that is available for conversion, since Hawkins appears to simply teach performing the conversion.

Compare the Hawkins automatic CML—HTML conversion teaching with what is recited in claim 1. As called out in the preamble to the claim, the claim context may be a broadcast, such as a television broadcast. During the broadcast, one may indicate with the handheld interest in obtaining a content catalog identifying content that is available in a first catalog. The catalog indicates what content is available in the first data format, however it is important to note that the catalog is **not the content itself**, just a listing of available content. However, selected content is formatted by a formatting agent into a second format compatible with the handheld device. This catalog arrangement is substantially different from Hawkins because the relied on portions of Hawkins only teaches converting HTML into a format suitable for a device, and fails to provide any teaching whatsoever to a catalog of content that may be electively converted as recited.

Claims 3-5, 12, and 13 stand rejected under **35 USC §103** as being obvious over Hawkins in view of Dunn (US Patent No. 6,154,772). Hawkins, as discussed above,

fails to teach the elements of claim 1 as discussed above. Consequently the combination of Hawkins and Dunn cannot render claims 3-5, 12 and 13 obvious since Dunn fails to cure the lacking of Hawkins.

Regarding new claim 23, this claim depends from claim 1 and further recites "wherein the content identified in the content catalog changes in accord with changes of material present in the broadcast." This claim acknowledges that the preamble broadcast may change over time and hence the content of the catalog may change accordingly. It is submitted that this claim is not taught or suggested by the cited portions of the documents relied on by the Office.

Regarding new claim 24, this claim is a variation of claim 1, where the claim 1 clause "indicating with the handheld device..." has been modified to recite "indicating with the handheld device interest in obtaining a content catalog identifying content in a first data format associated with the broadcast." It is respectfully submitted that claim 24 is not taught or suggested by the art of record. Regarding new claim 25, this claim recites that the formatting agent is disposed within the viewing device, e.g., a television.

Regarding dependent claims 2-10 generally, while they introduce further features not taught or suggested by the documents relied on by the Office, to focus examination on allowability of the independent claims, these dependent claims and the substance of their rejections are not going to be substantively addressed at this time. Applicants note, however, amendments were made to claims 6 and 8. It is submitted these claims are allowable for at least the reason as depending from an allowable base claim.

Regarding claim the rejection of independent claim 18, as with claim 1, this claim recites a content formatter which provides a content catalog identifying content which

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may be converted. As discussed above with respect to claim 1, Hawkins fails to teach or even remotely suggest the recited catalog indicating content which may be converted if selected. Hence Applicant requests the rejections over Hawkins of independent claims 1, 18 and their dependent claims be withdrawn.

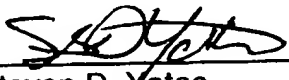
Regarding the §102 and §103 rejections of claims 11-17, they represent a variation of Beauregard claims in which the recited operations are based on performing operations of another claim. Hence, these claims are allowable for at least the reason as depending on claims that are allowable as discussed above.

Conclusion

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-25 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,

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Steven D. Yates
Patent Attorney
Intel Corporation
Registration No. 42,242
(503) 264-6589

c/o Blakely, Sokoloff, Taylor & Zafman, LLP
12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026